

briefly, the space is inadequate, the physical facilities are not there. I question the matter of whether or not...or what the cost was. At that time we did not have a fiscal note. I believe we now have a fiscal note indicating perhaps \$35,000 would be the cost for the addition of these two people. Now that is a lot of money as far as I am concerned to fix a wheel that is not broken. I said that there was no good reason for this action and there isn't. There is no compelling reason to add two more people to this Commission. I say to you today that the premise for legislation, good legislation, should be a clear and present need and there simply is not a clear and present need, such is not the case today. Our Real Estate Commission, and I think Senator Hannibal would agree, is the envy of all other states, a sterling record. They have done a fantastic job. Other states have copied our plans, our schemes. They duplicate our brochures. They talk to our commissioners whenever conferences are held elsewhere. They want to emulate what is happening in Nebraska. I'm not sure if this body knows it, but I share it with you today. The Nebraska Real Estate Commission has never, never lost a case, has never had a case overturned in either the State Supreme Court or the U.S. Supreme Court. With two more lay people on this Commission, I'm afraid it might just totally confuse issues in addition to becoming more expensive and without a demonstrated need. I do have a fear that lay people may not understand some of the legalities and the technicalities which confront the Commission and it is becoming more technical. What about such things as wrap around mortgages, call clauses, exclusive agency? I could go on and on far into the night. I am told that at one time a lay person asked a question which was a reversible error and that case had to be retried. Two more people are unnecessary and I think it is unfair to ask two more lay persons to be thrown into that kind of a situation. Senator Higgins argues that 40 out of 54 cases dismissed in '82, I believe 41 out of 54 in '83. To me, that is a sign of a very efficient Commission. I don't believe we want the Real Estate Commission hearing cases in which they have absolutely no jurisdiction and that has been the case in so many cases. Many of the complaints filed go to other agencies. Lending practices and complaints go to the Banking Commission. Also I indicated last week that a number of these were thrown out because there was no jurisdiction and that is exactly the case. They were either civil matters or they were criminal matters.